

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76626 of 2018

Arising Out of PS. Case No.-5 Year-2018 Thana- CHAORI District- Bhojpur

Shyam Shunder Prasad S/o Vishvanath Ram Resident of Village-Begauti,P.S.
Purhara,P.S. Chari,Distt.-Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Priyedarshi
For the Opposite Party/s : Smt. Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 16-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 420 and 406 of the Indian Penal Code.

The prosecution case in short is that the accused
persons misappropriated the money meant for construction of
school building.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 22.5.2018 and has got no
criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. Charge-sheet has been
submitted in the present case. The petitioner has been made
accused due to mistake of fact. The petitioner was the
Headmaster of the school. He was given Rs. 8 lakhs and odd



amount for construction of school building. No misappropriation has been made on behalf of the petitioner. It has been submitted on behalf of the petitioner for the purpose of bail, the petitioner will deposit an amount of Rs. 4 lakhs out of Rs. 1.5 lakhs will be deposited at the time of furnishing of the bail bonds and remaining 2.5 lakhs will be deposited within a period of four months from the date of release from custody which will be subject to the final disposal of the case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, **on deposit of a sum of Rs. 1.5 lakhs in the Court below which will be subject to final disposal of the case,** it is directed that the petitioner, above named, be released on **provisional bail** on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Rajesh Singh, Judicial Magistrate, Arrah, Bhojpur in connection with Chauri P.S. Case No. 5/2018.

It is further directed that the petitioner will deposit remaining Rs. 2.5 lakhs within four months of his release in the Court below which will be subject to final disposal of the case. If the petitioner deposits a total amount of Rs. 4 lakhs, the



provisional bail granted to the petitioner will be confirmed by the Court below itself.

In case, the petitioner fails to deposit total amount of Rs. 4 lakhs, the Court below will cancel the provisional bail granted to the petitioner and issue process against the petitioner for his production at the earliest.

(Sudhir Singh, J)

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